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David A. Levine

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Gerald W. KEARBY, et al.

Application Serial No.: 10/790,319

Confirmation No.: 9003

Attorney Docket No.: NT 1001 - US

Filing Date: 1 March 2004

Titled:

AUDIOLOGICAL  
TREATMENT SYSTEM AND  
METHODS OF USING THE  
SAME

Examiner: Not Yet Assigned

Group Art Unit: 3764

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner:

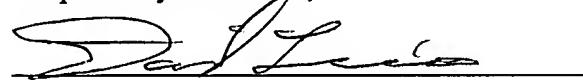
Pursuant to 37 C.F.R. § 1.97 and § 1.98, applicants submit for consideration in the above identified application the documents listed on the attached Form No. PTO/SB/08A (substitute for Form-1449). The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are necessary.

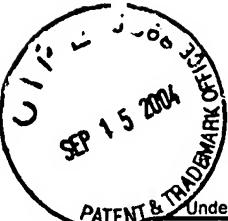
Applicants would appreciate the Examiner initialing and returning the Form No. PTO/SB/08A, indicating that the information has been considered and made of record herein.

This Information Disclosure Statement is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,

  
\_\_\_\_\_  
David A. Levine  
Registration No. 48,821

P.O. Box 61180  
Palo Alto, CA 94306-1180  
Telephone: (650) 493-1904  
Facsimile: (509) 278-2701



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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

of 13

### Complete if Known

Application Number	10/790,319
Filing Date	01 March 2004
First Named Inventor	Gerald Wayne Kearby
Art Unit	3764
Examiner Name	Not Yet Available
Attorney Docket Number	NT 1001-US

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
Number-Kind Code <sup>2</sup> (if known)					
		US- 4,222,393	09/16/1980	Hocks et al.	
		US- 4,226,248	10/07/1980	Manoli	
		US- 4,984,579	01/15/1991	Burgert et al.	
		US- 5,167,236	12/01/1992	Junker	
		US- 5,325,872	06/05/1994	Westermann	
		US- 5,345,509	09/06/1994	Hofer et al.	
		US- 5,828,943	10/27/1998	Brown	
		US- 5,879,163	03/09/1999	Brown et al.	
		US- 5,897,493	04/27/1999	Brown	
		US- 5,899,855	05/04/1999	Brown	
		US- 6,004,274	12/21/1999	Nolan et al.	
		US- 6,047,074	04/04/2000	Zoels et al.	
		US- 6,048,305	04/11/2000	Bauman et al.	
		US- 6,155,971	12/05/2000	Calhoun et al.	
		US- 6,319,207 B1	11/20/2001	Naidoo	
		US- 6,381,577 B1	04/30/2002	Brown	
		US- 6,394,947 B1	05/28/2002	Leysieffer	
		US- 6,475,163 B1	11/05/2002	Smits et al.	
		US- 6,556,852 B1	04/29/2003	Schulze et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)						

Examiner  
Signature

Date  
Considered

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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	10/790,319
		Filing Date	01 March 2004
		First Named Inventor	Gerald Wayne Kearby
		Art Unit	3764
		Examiner Name	Not Yet Available
Sheet	2	of	2
		Attorney Docket Number	NT 1001-US

**U. S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

Examiner Signature \_\_\_\_\_ Date Considered \_\_\_\_\_

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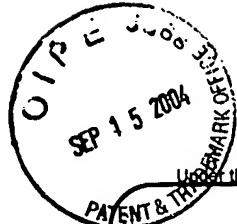
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		Art Unit	3764
		Examiner Name	Not Yet Available
Sheet <b>3</b>	of <b>3</b>	Attorney Docket Number	NT 1001-US

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		MUHLNICKEL ET AL., Reorganization of auditory cortex in tinnitus, 95 Proc. Natl. Acad. Sci. USA, Aug. 1998, at 10340-10343.	
		GOLDSTEIN ET AL., Long-term Inhibition of Tinnitus by UltraQuiet Therapy (Preliminary Report), < <a href="http://www.tinnitus.vcu.edu/Pages/Tinnitus.pdf">http://www.tinnitus.vcu.edu/Pages/Tinnitus.pdf</a> >.	
		TYE-MURRAY, N. ET AL., Initial evaluation of an interactive test of sentence gist recognition, 7 J Am Acad Audiol. 6, Dec. 1996, at 396-405.	
		SWEETROW R.W. AND HENDERSON-SABES, J.H., The case for LACE, individualized listening and auditory communication enhancement training, 57 The Hearing Journal 3, at 32-40 (2004)	

Examiner Signature	Date Considered
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.  
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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

6

Application Number	10/790,319
Filing Date	1 March 2004
First Named Inventor	Gerald W. Kearby
Art Unit	3764
Examiner Name	Not Yet Available

Attorney Docket Number

NT 1001 - US

### ENCLOSURES (Check all that apply)

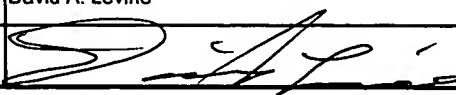
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David A. Levine, Reg. No. 48,821
Signature	
Date	13 September 2004

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